1914-15
[Courts]

File no. 95-14
S.L No. - 1-5

Appointment of Mr. Gopaliyengar as Registrar of chief court

Previous references.

~~Cf 258-12 (1-2)~~
~~Cf 116-12~~
M. 42-09
25 197-09
25 167-12
~~Later references.~~
Cf 196-12
Cf 179-12

Later Ref.
322-14 (1-2).
Cf 48-18 & 6.1.15
Cf 122-19, 1,314

1914.15
(Cf)

File No. 25-14

Serial Nos. 1-3 &
~~Nos~~ C.52, 53 & 54.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-3, Nos C.52. 53 & 54.

Part B. for September 14

SUBJECT.

N.T. Gopalaswamy

Appointment of Mr ~~T.E. Jayaram Iyer~~ ~~Asst Comm~~ as Registrar of Chief Court

---

From The Regtr Chf Ct 465 of 31.7.14.
states that under 34 the provisions of Sec 7
of the Chief Ct Regulation the Chf Ct has appointed
Mr Jayaram Iyer to be Registrar of the Chf Ct
2. To The Regtr, Chf Ct J 628 of 2.9.14
States that the question of the transfer of
Mr Jayaram Iyer from the Rev & the Jud Depts
is under consideration & suggests that, as the
Regtr Chf Ct is one of the Sub Judges, the
Chf Ct may appoint one

G. R. S. 58

P.T.O

G.R.S. 11] 191[illegible]

GENERAL AND REVENUE SECRETARIAT.

([illegible])

NOTES.

File No.

FILE HEADING.

[illegible]

From

[illegible]

No. 465/34 Dated 31.7.1914 Received 1.8.1914

Diary No. [illegible]	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

[illegible]

NOTES AND ORDERS.

Sub[d] with a copy of the Chief Court Reg[n] of 1884 and the previous refer relating the application of M[r] Jayaram Iyer for being taken to the post Dept.

Under the Civil Service Rule of Jan[y] 1913, the Registrar of the Chief Court is a subordinate

NOTES—First Sheet.

GPB—30,000 15.6.12

G. R. S. 12]

General and Revenue Secretariat.

File No. 25 of 1914-15

Serial No.

Sec. A.

consequence of the

G 3B—10,000—13-6-14

The following confidential papers are placed in a sealed cover along with this file--

F-3d/14

-14-15

No. 85

No. 95 dtd 1914

No. 1

Bangalore,

31st July 1914.

From,

The Registrar of the Chief Court of Mysore

Bangalore.

To,

The Offg:Secretary to Government of Mysore

General and Revenue Departments.

Sir,

I am directed to state that under the powers given by Section 7 (1) of the Chief Court Regulation the Chief Court has appointed Mr.T.E.Jayarama Iyer B.A,B.L,Assistant Commissioner to be Registrar of the Chief Court subject to the sanction of the Government.

I have the honor to be,

Sir,

Your most obedient servant;

Mudaliar

V.K.

Acting Registrar.

No. J 628 Fcb 25-14-2

dated 2-9-14.

Sir,

With Reference to your letter No J 465/34, dated the 31st July 1914, stating that Mr T. Jayarama Iyer B.A. B.L. is appointed by the Chief Court as Registrar of the Court, subject to the sanction of Govt: under Sec 7 of the Chief Court Regulation I am directed to State that the question of the transfer of Mr Jayarama Iyer from the Revenue to the Judicial Department is under consideration. As the Registrar of the Chief Court is one of the Subordinate Judges under the terms of the Govt. orders Nos G 3528-75 G-M. 232-12-1 and J 2731-2, dt 167-12-2, dated 6th January 1913 and 14th March 1913 respectively, I am directed by Govt. to suggest that the Chief Court may kindly appoint one of the Existing Subordinate Judges as their Registrar, subject to the sanction of Govt.

I have &c.

2.9.14

2/9

DIARY NO J 855
14 15
SECTION C5
FILE 25-14
SERIAL 3

No 1124/C5 Chief Court
Bangalore
Sept 8. 1914.

From

J. Venkata Rao, B.A. B.L.
Asst. Registrar, Chief Court.

To. D. M. Narasinga Rao Esq. B.A. B.L.
Offg. Secy to Government
General & Revenue Department.

Sir,

With reference to your letter No J. 628/C5 25-14-2 dated 2/9/14. I am directed to state that under Sec. 7 of the Chief Court Regulation the Chief Court has appointed Mr N. J. Sopahengar B.A. LL.B Asst-prose Asst pro tem as

6

To

The Registrar of the Chief Court of

M y s o r e.

Sir,

With reference to Government Notification No C.52/cls 25-4 dated 27th Sept. 1914, I am directed to state that the appointment of Mr. N.T. Gopaliegar as Registrar will be on probation for six months.

I am to request that temporary arrangements may be made for the immediate relief of Mr. Lakshminaranaiya and ~~the further recommendations~~ proposals submitted for ~~the appointment of~~ an acting appointment ~~Munsif~~ in his place.

26.9.14.

I have, &c.

Secretary to Govt.

G. R. S. 12]

General and Revenue Secretariat. | Ms File No. 2[illegible] of 1914.

Serial No.

Under the Civil Service order of 1908, the Registrar's appointment is mentioned among those to be held by Assistt Courts. (Rev. Man. P. 81). In the order of 1913, four subordinate Judges are mentioned, including the Registrar among them. Accg to the Civil Courts Regn, the appointment of Sub. Judges is to be made by Govt. Accg to the Chief Court Regn, the Regr is appointed by the Ch Court subject to the sanction of Government. The easiest way to reconcile these several provns is to consider that the Govt orders including Regr in the list of Sub. Judges should be taken as 'restrictions' prescribed by Govt under S. 7 (1) of the Ch. Ct Regn. It would then follow that the Ch. Ct should select

NOTE—Contn. sheet.

GPB—10,000—13-6-14

G. R. S. 12]

General and Revenue Secretariat.

File No. of 191 .

Serial No.

an Offr who is already a Sub. Judge.

On the merits of the proposal, Mr. Jayaram Iyer is Senior to both ~~the~~ Mr. Mayleri Rao & Mr. Sesa who are the only other Asstt Crs who can be thought of in this Connection.

I think it would be better to appoint Mr. Ejoralampar Registrar and make Jayaram Iyer Sub. Judge of Bangalore.

The matter may be decided at the next meeting.

Dewan

4/8/14

Dewan 4/8

707

This matter may be brought up at the next meeting of Council.

7.8.14. KB

NOTE—Contn. sheet.

GPB—60,000—7-14-13

GPB—1,000—19-7-13

Extract from the Proceedings of the 329th Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 12th August 1914.

8. SUBJECT. - (Clause v of the Schedule).

Appointment of a Registrar to the Chief Court of Mysore.

ORDER OF [illegible].

Mr. Jayarama Iyer may be transferred to the Judicial Department as a Sub-Judge.

The Chief Court may select a Registrar from one of the Sub-Judges at present in the service. Under the Civil Service orders of 1907 and 1913, a Registrar should be a Sub-Judge.

Sd. K. VISVESVARAYA,
Dewan of Mysore.

"True Copy"

D. M. Narasinga Rao
Officiating Secretary to Government.

Submitted to His Highness.

To fill the vacancy caused by the death of Mr. V.A. Rajaratna Mudaliar, the Chief Court have, under section 7(1) of the Mysore Chief Court Regulation, appointed Mr. T.E. Jayarama Iyer, Assistant Commissioner, as Registrar of the Chief Court, subject to the sanction of Government.

2. In the order of 6th January 1913 issuing revised rules for recruitment to the Mysore Civil Service, the office of Registrar has been included in the cadre of Sub Judges. According to the Civil Courts Regulation, the appointment of a Sub Judge is to be made by Government. The powers of the Chief Court under section 7 of the Chief Court Regulation which authorises the Chief Court to appoint a Registrar subject to any rules and restrictions which may be prescribed by Government must therefore be construed to be governed by the restrictions imposed by the orders relating to the Civil Service Scheme. The Chief Court may therefore select only an officer who is already a Sub Judge for the post of Registrar.

3. The matter was considered in Council and they are of opinion that Mr. Jayarama Iyer who is the senior among the Assistant Commissioners qualified for a Subordinate Judge's post under Clause XIV of the Civil Service order of 6th January 1913 may be transferred to the Judicial Department as a Sub Judge and that the Chief Court may be requested to select a Registrar from one of the Sub Judges at present in the service.

4. The proposal of the Council may be graciously approved.

K. Virabhadraya
16th Aug. 1911.

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

Appointment of Mr. T.E.Jayarama Iyer, B.A.,B.L., Assistant Commissioner, as a Sub-Judge.

2914
18.8.14

Order.

~~K.R.W.~~
20/8/14

Secretary
21.8.14
Order 22/8

G. R. S. 12

General and Revenue Secretariat.

File No. of 191 .

Serial No.

Submitted with reference to the draft letter & file submitted to First Member on 21. 8. 14.

Duraiyappa
25/8

First

The draft in the other file need not issue. An order may finally go on the lines of this sanction.

Draft

25/8/14

Please issue this order today.

29/8/14

Sorry this was delayed a day or two. I was somewhat doubtful about the terms of the order & kept it for consideration. If the Ch. Court is not disposed to be hypercritical, the order marked A may be sent as final. Otherwise, I would first send the demi official letter in the linked file marked B & this may be followed by order of appeal in

Sub Judge.

Dewan

NOTE.—Contn. sheet.

1216
31.8.14

Rec'd at 1.25 PM 29/8

GPB—60,000—7-11-13

Enclosed under cover of

Draft letter to the Registrar, Chief Ct

(2)

Sir,

With reference to your letter No. dated stating that Mr.T.Jayarama Iyer, B.A B.L., is appointed by the Chief Court as Registrar of the Court, subject to the sanction of Government under section 7 of the Chief Court Regulation, I am directed to state that the Registrar is one of the Subordinate Judges under the terms of the Govern ent Orders Nos. G.3528-75/- G.M.232-12-1 and J.2731-2 - Cts.167-12-2 dated 6th January 1913 & 14th March 1913, respectively and that under section 7 Clause (1) of the Chief Court Regulation, the appointment is "subject to any rules and restrictions which may be prescribed by the Government of Madras". These rules and restrictions are prescribed in the orders referred to above.

Under Clause XIV of the Civil Service Scheme of January 1914, Government will be prepared to appoint Mr.Jayarama Iyer as a Sub-Judge if one of the existing Subordinate Judges is appointed as Registrar by the Chief Court subject to the sanction of Government.

The favour of a very early

Read

.. Commns from the

Chief Ct etc.

Letter No $\frac{465}{34}$, dated the 31st July 1914, from the Registrar, Chief Court, submitting for the Sanction of Govt the appointment of Mr T. E. Jayarama Iyer B. A. B.L, Assistant Commissioner as Registrar of the Chief Court.

Order thereon.

The Govt of H H the Maharaja of Mysore are pleased to appoint Mr T Jayarama Aiyr Asst Comr as Sub Judge ~~of~~ in place of Mr Rajaratna Mudaliar deceased.

2. The Chief Court will be requested to select one of the existing Subordinate judges as Registrar and to post Mr Jayarama Aiyr

D. O. No. 7 1902

7th Feb 1914

My dear Private Sahib

The Court is requested
to telegraph for the Agent's
Office. Gratis Letter Status T.A.1
it is under consideration
to change Jagirdar appt
to Medical service. I hope
he will not be made a
Sub Assistant Surgeon. If serious
a letter drig. after the fact.

Bangalore
9th Sept 1916.

(10)

My dear Sir,

I ~~have duly~~ received your letter of the 7th instant. yesterday morning. Under the circumstances stated therein Govt. will be prepared to ~~order~~ consider the following arrangements :-

(1.) Mr N. T. Gopalachar to be confirmed as Sub Judge in this permanent vacancy and appointed as Registrar of the Chief Court on probation for six months.

(2). Mr K. Lakshmiarasaya, the most senior among the Munsiffs, to act as Sub Judge vice Mr Gopalachar.

3. The next permanent vacancy ~~occurring~~ of a Sub Judge may be given to a deserving Member of the Civil Service.

4. I shall be glad to be favoured with your views in the matter.

Yours sincerely

9.9.14.

Confidential (11)

Bangalore
10th Sep 14

D. O. No. 2207

My dear Sir,

I have just received your letter of date. The arrangements suggested in my D.O. letter are in strict accordance with the rules and were communicated to you after consulting the Council.

According to the rules, the selection for the post of a Subordinate Judge has to be made alternately from the members of the Civil Service and the Munsiffs; but ~~they do not make~~ if it is not ~~it~~ obligatory to give the first permanent vacancy which ~~has~~ fall ~~fallen~~ ~~vacant~~ ~~since~~ after since the rules were framed, to ~~the~~ a members of the Civil Service. That is why I suggested that Mr.Gopaliengar might be confirmed. If that is done, the next permanent vacancy will fall to the lot of the Civil Service.

Will you kindly now tell me what you wish done in these circumstances? On receipt of your reply I shall obtain His Highness' sanction to the final orders that ~~may~~ have to issue.

Yours sincerely

10.9.14 RC

Secretary

F.O. 11.9.14 11th Sept 1914

My dear Diwan Sahib

Thanks for your letter. I am perfectly satisfied if you are, on the question of the rule. It was only the last that in your first letter you said that Rajah Sir [illegible] made Sir [illegible] a member of the Civil Service. I do not raise the rule — I do not see that any better appointments can be made than

Submitted to His Highness

On the 20th Aug 1914, His Highness was pleased to sanction the proposals of the Council that Mr Jayarama Iyer may be transferred to the Judicial Department as a Sub Judge and that the Chief Court might be asked to select a Registrar from one of the Sub Judges at present in the Service.

2. Accordingly the Chief Court were informed that the question of the transfer of Mr Jayarama Iyer from the Revenue to the Judicial Dept. was under the Consideration of Govt. and that they might appoint one of the existing Subordinate Judges as ~~Asst~~ Registrar, subject to the sanction of Govt.

3. The Chief Court now propose that Mr N. T. Gopalengar, ~~Asst pro tem~~ Sub Judge, ~~Sub pro tem~~ Bangalore, may be appointed as Registrar on probation for Six months. ~~The Council are in favour of this proposal which may be sanctioned.~~

4. As regards the appointment of a Sub Judge in the permanent vacancy caused by the death of Mr Rajaratna Mudaliar, the Chief Judge wrote to me demi-officially

on the 7th Sept 1914, that in view of the fiasco Mr Jayarama Iyer made of the Subordinate Judge's Court at Bangalore on a previous occasion, he hoped that Govt would not appoint Mr Jayarama Iyer as Sub Judge. Sir Leslie Miller further observed in the same letter that " If it is necessary under your rules to fill the Vacancy from the Civil Service, could not that be done without sending Jayarama Iyer back to us yet ? ".

5. This letter was considered in the Council Meeting held on the 9th Sept-14. The Council are of opinion that Mr N.T. Gopalacharyar may be confirmed as Sub Judge in this permanent Vacancy and appointed as Registrar of the Chief Court on probation for Six months; that Mr K. Lakshmanarayana the next senior Munsiff may be appointed to act as Sub Judge vice Mr Gopalacharyar and that the next permanent Vacancy may be given to a Member of the Civil Service.

6. These proposals of the Council were confidentially communicated to

from ~~outside~~ to a member of the judicial department. Besides, no member of the Civil Service duly qualified & eligible for the post of a Sub Judge is readily available. ~~Mr~~ Jayaram Iyer is not wanted while Messrs Mylari Rao and Nanda Rao Sirsi are on special duty. These are the only Senior officers in the Civil Service cadre who can at present be thought of in connection with the appointment.

9. In these circumstances the proposals of the Council may be graciously approved.

10. The Chief Court will be requested to submit ~~nominations~~ proposals in regard to the appointment of an acting Munsiff vice Mr Lakshminarasappa.

12.9.14

Draft
12/9

Submitted to His Highness.

On the 20th August 1914, his Highness was pleased to sanction the proposals of the Council that Mr. Jayarama Iyer may be transferred to the Judicial Department as a Subordinate Judge and that the Chief Court might be asked to select a Registrar from one of the Subordinate Judges at present in the service.

2. Accordingly, the Chief Court were informed that the question of the transfer of Mr. Jayarama Iyer from the Revenue to the Judicial Department was under the consideration of Government and that they might appoint one of the existing Subordinate Judges as Registrar, subject to the sanction of Government.

3. The Chief Court now propose that Mr. N.T. Gopaliengar, Subordinate Judge, sub pro tem, Bangalore, may be appointed as Registrar on probation for six months.

4. As regards the appointment of a Subordinate Judge in the permanent vacancy caused by the death of Mr. Rajaratna Mudaliar, the Chief Judge wrote to me demi-officially on the 7th September 1914, that in view of the fiasco Mr. Jayarama Iyer made of the Subordinate Judge's Court at Bangalore on a previous occasion, he hoped that Government would not appoint Mr. Jayarama Iyer as Subordinate Judge. Sir Leslie Miller further observed in the same letter that "If it is necessary under your rules to fill the vacancy from the Civil Service, could not that be done without sending Jayarama Iyer back to us yet?".

5. This letter was considered in the Council meeting held on the 9th September 1914. The Council are of opinion that Mr. N.T. Gopaliengar may be confirmed as -

Subordinate Judge in this permanent vacancy and appointed as Registrar of the Chief Court on probation for six months; that Mr. K. Lakshminarnaiya, the most senior Munsiff, may be appointed to act as Subordinate Judge vice Mr. Gopaliengar and that the next permanent vacancy may be given to a Member of the Civil Service.

6. These proposals of the Council were confidentially communicated to Sir Leslie Miller for opinion and he writes to say that he does not see that any better appointments can be made than those to which the Council have agreed, provided that they are admissible under the rules.

7. The terms of the Civil Service Order of the 6th January 1913 do not make it obligatory on the Government to give the very first chance of a permanent vacancy of Subordinate Judge to a Member of the Civil Service. The order merely lays down that vacancies in the grade of a Subordinate Judge shall be filled by a Member of the Civil Service and a Munsiff alternately. The first permanent appointment made under this rule will, of course, fix definitely the order in which the selection of Subordinate Judges has to be made in future. Barring the permanent appointment of Mr. Subbanna as Subordinate Judge, which was made outside the terms of the rule in question, this is the first permanent vacancy which has become available for giving effect to the rule of alternate selection.

8. There is therefore no objection to give the first turn to a Member of the Judicial Department. Besides, no Member of the Civil Service duly qualified and eligible for the post of a Subordinate Judge is readily available.

9. In these circumstances, the proposals of Council may be graciously approved.

10.

10. The Chief Court will be requested to submit proposals in regard to the appointment of an acting Munsiff vice Mr. Laksmminarnaiya.

M. Narayana
16th Sept 1914

Owing to the unfortunate death of Mr. Rajaratna Mudaliyar, a vacancy has occurred among Subordinate Judges. Mr. Jayaramaraper may be transferred as a Subordinate Judge (Permanent) ~~vice~~ and placed above Mr. Gopalisingar, acting Sub. Judge.

Under the C.S. Rules, a Munsif will have to be taken as an Asst Commr in his place. One of the following may be selected:
S. Krishna Rau, D K Rama Rau, Mahadevaya, Srinivasaraghavachar.

For the Registrar's place,

the Chief Court may be asked to say whether they would have Mr Jayaswal himself or select one of the Sub-Judges, posting Mr. J. Aiyar to the Charge of i Court.

17/7/14

G. R. S. 12]

General and Revenue Secretariat.

File No. of 191 .

Serial No.

Note

With reference to the opinion of the Council that Mr.T.S.Jayarama Iyer, B.A.B.L., may be appointed Subordinate Judge under Clause XIV of the Civil Service Scheme of January 1914, the following proposal is submitted for consideration and orders:-

Under this provision, "whenever a member of the Civil Service is transferred to the Judicial Department, a corresponding appointment shall ordinarily be made to the Civil Service from the grade of Munsiffs . . . . ".

Accordingly, Mr.K.Lakshminarnaiya, B.A. who is the most senior among the Munsiffs (barring Mr.N.P.Gopaliengar who is already a sub pro tem Sub Judge) and who is also fully qualified for the post may be appointed Assistant Commissioner, Schedule B, 3rd class on Rs.350 per mensem, the pay he has been drawing as Munsiff from 1st November 1912.

He should, if selected, be allowed to earn the next increment to the 1st grade of Munsiffs viz., Rs.400 on 1st November 1915, treating the difference between this and his pay as Assistant Commissioner, viz., Rs.350 as personal allowance until he reaches Rs.400 as Assistant Commissioner.

First Member & Dewan

D.M. Narasimha Rao 21/8

A draft letter to the Chief Court requesting them to select

NOTE—Contn. sheet.

GPB—60,000—7-11-13

G. R. S. 12]

General and Revenue Secretariat. | File No. | of 191 .

Serial No.

re g the existing Sub Judges as Registrar is put up.

orders are solicited on the two points.

Duncan Gallo
21/8.

First Member

Please see other file sent today.

The matter of appointing a staff as stated (1) may be taken up at the next meeting of Council.

29/8/14

Please bring up at tomorrow's meeting of Council

1.9.14. LO

The matter was considered in Council on the 2.9.14 and the question was decided to be dropped.

NOTE—Contn. sheet.

GPB—60,000—7-11 -13